

21 C.J.S. Courts § 293

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Courts

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VIII. Concurrent and Conflicting Jurisdiction

B. State and United States Courts


4. Enjoining Proceedings in Other Court

a. In General

§ 293. Overview of Anti-Injunction Act

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West's Key Number Digest

West's Key Number Digest, [Courts](#)  508(1), 508(2.1)

Under the Anti-Injunction Act, a federal court may not grant an injunction to stay proceedings in a state court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or where necessary to protect or effectuate its judgments.

Subject to certain exceptions, the Anti-Injunction Act¹ prohibits federal courts from enjoining proceedings in state courts.² Under the Act, a federal court may not grant an injunction to stay proceedings in a state court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or where necessary to protect or effectuate its judgments.³ A federal court lacks inherent power to ignore the limitations of the Act and enjoin state court proceedings merely because those proceedings interfere with a protected federal right or invade an area preempted by federal law even when the interference is unmistakably clear.⁴ Moreover, federal courts are not to

use their equity powers to enjoin proceedings in state courts merely because the person seeking the injunction has a federal defense to the state proceeding.⁵

The purpose of the Anti-Injunction Act is to prevent friction between federal and state courts by barring federal intervention in state court proceedings in all but the narrowest of circumstances.⁶ The breadth of the Act's prohibition is broad,⁷ and any doubts as to the propriety of a federal injunction against state court proceedings should be resolved in favor of permitting state courts to proceed in an orderly fashion to finally determine the controversy.⁸ In effect, the Act creates a presumption in favor of permitting parallel actions in state and federal court.⁹ The fact that an injunction may issue under the Anti-Injunction Act does not mean that it must issue.¹⁰

The Anti-Injunction Act applies only to federal courts, not to federal agencies.¹¹ Only injunctions sought by private parties, and not injunctions sought by the federal government, are prohibited.¹² The Act does not discriminate between civil and criminal proceedings pending in state courts.¹³

Declaratory judgments.

If an injunction would be barred by the Anti-Injunction Act, the Act will also bar the issuance of a declaratory judgment that would have the same effect as an injunction.¹⁴

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Footnotes

- 1 28 U.S.C.A. § 2283.
- 2 U.S.—Harvey Specialty & Supply, Inc. v. Anson Flowline Equipment Inc., 434 F.3d 320 (5th Cir. 2005); O'Keefe v. Chisholm, 769 F.3d 936 (7th Cir. 2014).
- 3 28 U.S.C.A. § 2283.

Absolute prohibition
The Anti-Injunction Act is an absolute prohibition against a federal court's enjoining of state court proceedings unless the injunction falls within one of the three specifically defined exceptions.

U.S.—Denny's, Inc. v. Cake, 364 F.3d 521 (4th Cir. 2004); Fulford v. Transport Services Co., 412 F.3d 609 (5th Cir. 2005).

Removal statute
U.S.—Ackerman v. ExxonMobil Corp., 734 F.3d 237 (4th Cir. 2013).
- 4 U.S.—Sandpiper Village Condominium Ass'n., Inc. v. Louisiana-Pacific Corp., 428 F.3d 831 (9th Cir. 2005).

Voting rights

A federal court considering a challenge to existing congressional districts errs by issuing an injunction preventing a state court from developing a redistricting plan even though the federal lawsuit claims a violation of the Voting Rights Act.

U.S.—*Grove v. Emison*, 507 U.S. 25, 113 S. Ct. 1075, 122 L. Ed. 2d 388 (1993).

5 U.S.—*Midwestern Gas Transmission Co. v. McCarty*, 270 F.3d 536 (7th Cir. 2001).

6 U.S.—*Brother Records, Inc. v. Jardine*, 432 F.3d 939 (9th Cir. 2005).

Balance of tensions

The Anti-Injunction Act reflects Congress's considered judgment as to how to balance tensions inherent in our nation's system of federalism.

U.S.—*Sandpiper Village Condominium Ass'n., Inc. v. Louisiana-Pacific Corp.*, 428 F.3d 831 (9th Cir. 2005).

7 U.S.—*Bennett v. Medtronic, Inc.*, 285 F.3d 801, 52 Fed. R. Serv. 3d 744 (9th Cir. 2002), as amended on denial of reh'g, (May 15, 2002).

8 U.S.—*Denny's, Inc. v. Cake*, 364 F.3d 521 (4th Cir. 2004); *Fulford v. Transport Services Co.*, 412 F.3d 609 (5th Cir. 2005); *Brother Records, Inc. v. Jardine*, 432 F.3d 939 (9th Cir. 2005).

9 U.S.—*Bennett v. Medtronic, Inc.*, 285 F.3d 801, 52 Fed. R. Serv. 3d 744 (9th Cir. 2002), as amended on denial of reh'g, (May 15, 2002).

10 U.S.—*Wyly v. Weiss*, 697 F.3d 131 (2d Cir. 2012).

11 U.S.—*American Airlines, Inc. v. Department of Transp.*, 202 F.3d 788 (5th Cir. 2000).

12 U.S.—*N. L. R. B. v. Nash-Finch Co.*, 404 U.S. 138, 92 S. Ct. 373, 30 L. Ed. 2d 328 (1971); *Securities and Exchange Commission v. Wencke*, 577 F.2d 619 (9th Cir. 1978).

13 U.S.—*Trainor v. Hernandez*, 431 U.S. 434, 97 S. Ct. 1911, 52 L. Ed. 2d 486 (1977).

14 U.S.—*American Airlines, Inc. v. Department of Transp.*, 202 F.3d 788 (5th Cir. 2000).

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